IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15175 of 2006
Date of decision 21 .9.2006

Vikas Bharti .. petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr.JS Saneta, Advocate for the petitioner

M.M.Kumar, J.

The prayer made in the instant petition is that the petitioner who has worked as a Guest Faculty teacher from 1.6.2006 to 17.7.2006 be permitted to continue till the appointment of regular teacher is made. The respondents issued an advertisement inviting the applications for the posts of Hindi/ Punjabi/Sanskrit/ JBT/ Drawing Teachers and Masters/ School lecturers. The candidates were to be appointed as Guest Faculty teachers and they were to be paid remuneration per lecture. It is in these facts and circumstances that the prayer made by the petitioner has to be considered. It could not be successfully disputed that the petitioner has been engaged as Guest Faculty teacher who was to be paid at the rate of per lecture. His selection has not been made in accordance with rules governing the service condition of such teachers/ lecturers nor he has been appointed by the District Education Officer or Director Public Instructions who under the rules are his appointing authority. It is evident from the perusal of criterion, procedure and remuneration that headmasters and principals have been authorised to engage the Guest Faculty teachers/ lecturers. Therefore, the petitioner cannot be considered to have any substantive right to the post for

which he has been engaged for a specified period. If he has been relieved from the respective post in accordance with the terms of the contract, no legal infirmity warranting interference with the action of the respondents could be found. In that regard reliance may be placed on the judgement of the Supreme Court in the case of Secretary, State of Karnataka and others v. Uma Devi and others JT 2006(4) SC 420.

For the reasons afore-mentioned this petition fails and the same is dismissed.

(M.M.Kumar)
Judge

(M.M.S.Bedi)
Judge

21.9.2006
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